

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, DECEMBER 3, 2007

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Senhauser, Spraul-Schmidt, Fisher, Chatterjee, Kreider, and Raser present. Wallace and Young absent.

MINUTES

The Board unanimously approved the minutes of Monday, November 19, 2007 (motion by Spraul-Schmidt, second by Fisher).

CERTIFICATE OF APPROPRIATENESS, 3489 OBSERVATORY PLACE, OBSERVATORY HISTORIC DISTRICT

Staff member Adrienne Cowden summarized the staff report for the installation of a large sundial in the center of the circular driveway in front of the Cincinnati Observatory Center at the head of Observatory Place in Hyde Park. The sundial would be surrounded by a landscape berm and would provide a site for day and evening observation and instruction.

[Mr. Kreider joined the meeting]

Leonard Thomas, Director of Facilities for the University of Cincinnati that owns the facility said that the various groups had participated in a design charrette in early November. He said the University had requested that the berm be rounded to allow easier maintenance and that low lighting be provided at the entry points through the berm, but that they were generally satisfied with the plan.

Project architect Andy Corn of RWA Architects was present to answer questions from the Board. He clarified the changes in grade and accommodations that would have to be made to assure proper drainage of the site. Mr. Raser asked what elements might be modified or eliminated if the project exceeded its limited budget. Mr. Corn responded that the granite curb could be replaced with a gravel apron or that the lighting package would have to be reduced.

Mr. Senhauser confirmed that insubstantial changes to the plan could be approved by the Urban Conservator without requiring another meeting before the Board.

BOARD ACTION

The Board voted unanimously (motion by Spraul-Schmidt, second by Raser) to approve a Certificate of Appropriateness to create a sun dial and associated landscaping in the center driveway circle of the Cincinnati Observatory Center as shown on the drawings submitted at this meeting finding that the proposed meets the Observatory Historic Conservation District Guidelines with the condition that the final drawings and specifications be submitted to the Urban Conservator for review and approval prior to construction.

CERTIFICATE OF APPROPRIATENESS, SPECIAL EXCEPTION & ZONING VARIANCE, 1331-1335 VINE STREET, OVER-THE-RHINE HISTORIC DISTRICT

[Mr. Raser left the Board to present this project.]

Ms. Cowden presented a staff report on the construction of a new mixed-use building at the southwest corner of Vine and 14th Streets. The demolition of three non-contributing buildings would clear the site for the new structure. Ms. Cowden reminded the Board had it had conducted a preliminary design review on this project on August 20, 2007 as part of a larger proposal to develop several properties near this intersection.

Ms. Cowden said that the present design was simplified from the earlier version presented for preliminary review. The 14th Street balconies and corner tower had been retained, but the tower had been lowered to conform to the maximum building height allowed by zoning. The first floor had been reconfigured as a series of aluminum overhead doors for the commercial space and garage – with some doors functioning and transparent and with others fixed and opaque.

Despite the large amount of glass area on both Vine and 14th Streets, street level transparency is less than the 80% required under the zoning code, so a variance is required. Ms. Cowden explained that a special exception was required for density to permit 9 residential units to be built on the small lot. Staff recommended relief from the Zoning Code and a Certificate of Appropriateness be granted for the new building.

Ms. Cowden also recommended that the Board approve a Certificate for the demolition of 1331, 1333 and 1335 Vine Street. She said that although the structures were early in date, each had been altered to the point that it no longer contributed to the historic character of the district. She recommended that the demolition not proceed until the applicant had filed his plan for the new replacement building.

Project architect Jeff Raser of Glaserworks and Rob Bennett of Model Properties were in attendance to present additional details and to answer questions from the Board. Mr. Raser said that he had attempted to respond the concerns and suggestions offered by the Board at it preliminary design review. He showed a drawing of the earlier version for comparison. He indicated that elements such as the cornice were carried over to the new design, but that the tower arches had been eliminated and the whole capped with a flat, circular roof.

Mr. Raser stated that the greatest change had been to the ground floor with the introduction of overhead doors to visually link the Vine and 14th Street facades and the various retail and service functions along those elevations. He said the solid walls behind the inoperable doors would be painted black to give the appearance of transparency. The operable doors on the retail space will provide flexibility to attract tenants to what has been a difficult corner. Mr. Raser also showed an enlarged elevation of the commercial frontage indicating where signage would be located, once a tenant is secured.

Mr. Raser said the storefronts had been designed to reflect similar spaces in neighboring historic buildings so was surprised when he learned that the project did not meet the minimum transparency required under the Zoning Code. A study of those buildings indicated that none met the transparency of the present code. He said that the project would not be feasible if limited to the seven units permitted under the Zoning Code.

Mr. Raser asked that the Board reconsider the staff recommendation that demolition permits not be issued until the owner submitted a building permit application for the new structure. He said it was necessary to do further investigative work on the site in preparation for the new building. He argued that since the existing buildings were non-contributing, their immediate loss should be acceptable. Mr. Bennett repeated his commitment to the project and cited the City's recent approval of financing for the construction.

Mr. Krieder questioned the applicant about the condition of the existing buildings and site and the owner's progress to date. Based on Mr. Bennett's responses and the fact that the developer had already purchased the property and had been working on the plans for a long period of time, Mr. Krieder concluded that there had been sufficient testimony and evidence to support Model Properties' commitment to the project so as to permit the demolition to proceed immediately.

Mr. Chatterjee questioned the rationale for the fixed overhead doors and said they lent a false appearance to the facade. Mr. Raser responded that blank walls encourage crime by deadening the streets and that the reflective surfaces of the fixed doors would give the illusion of activity within. Mr. Senhauser agreed that the doors on the retail space should be transparent, but suggested that the garage and fixed doors on 14th Street should be translucent. This would allow interior light to spill onto the street, but shield non-public spaces from public view. Mr. Senhauser said that since the garage would not be highly finished and would likely function equally as a storage area, it could be more desirable to close it to view from the street. Mr. Bennett said that this solution had been the topic of much discussion, but they believed that the transparent doors better addressed the perception of safety. Ms. Spraul-Schmidt added that transparent doors permit outsiders to observe which owners are home.

Julie Fay representing the Central Vine Business Association agreed with the Board's observations. She and Debbie Mays of the Over-the-Rhine Community Council expressed the neighborhood's support for the project, although Ms. Mays questioned the circular tower cap and balconies.

Mr. Senhauser observed that the original design played a rectangular corner tower against angular balconies and projecting bays on the second and third floors of the 14th Street façade. He said by introducing circular elements into both the tower and bays, the play between the curved elements and the emphasis on the corner had been diminished. Mr. Raser disagreed. Mr. Senhauser acknowledged that the more restrained revision was a significant improvement over the initial design, but still felt the corner tower was atypical of the streetscape and created a false sense of history.

BOARD ACTION

The Board voted (motion by Kreider, second by Fisher) to take the following actions:

1. Approve a Certificate of Appropriateness for the proposed mixed-use building at the southwest corner of Vine and W. 14th Streets finding that the work meets the Over-the Rhine Historic District conservation guidelines with the condition that final plans and specification shall be submitted to the Urban Conservator for review and approval prior to construction.
2. Approve a Certificate of Appropriateness for the demolition of 1331, 1333 and 1335 Vine Street in order to allow the applicant access to the cleared site for engineering investigation for the new structure, finding that these building are non-contributing resources and that their demolition will not adversely affect the character of the streetscape of the district and that Model Properties had sufficiently demonstrated its commitment to seeing the project to completion.
3. Approve the necessary Zoning Variance and Special Exception to permit the proposed mixed-use buildings to have less than the minimum 700 square feet of land for each residential unit and only 56% transparency on the Vine Street façade (as specifically outlined in the staff report) finding that such relief from the literal interpretation of the Cincinnati Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the property is located and is necessary and appropriate in the interest of historic conservation as not to adversely affect the historic architectural or aesthetic integrity of the district.

[Mr. Raser rejoined the Board]

**PRELIMINARY DESIGN REVIEW, 22 W. COURT STREET, COURT STREET
HISTORIC DISTRICT**

Staff member Caroline Kellam presented a report on a proposal to demolish the storefront and front portion of 22 W. Court Street in order to create a dining patio. A new storefront would be constructed approximately twenty-one feet behind a new fence/entryway; the patio would be separated from the street by a new screen fence. Ms. Kellam said that preliminary reviews by Buildings & Inspections indicated that zoning variances might be required for the 12-foot height of the new fence and for the 21-foot setback of the new building front. Likewise, the owner faces issues of egress and capacities under the building code. She questioned the appropriateness of both the clapboard temple design and setback of the new storefront.

Mr. Senhauser said that Court is a strong urban street and that it was necessary to preserve its street edge. He said it may be possible to do that with a dense iron and masonry fence, but that he had a more difficult time with the deep setback on the new storefront. Mr. Senhauser stated that a new street face would have to be a careful balance of solids and voids and thoughtful detailing. He added that the design of the new storefront and fence should reflect and reinforce one another. He suggested that the effect of an outdoor space might be achieved by glazing the roof over the patio.

Mr. Raser said that this narrow lot may be the one place on Court Street where such a scheme could work. He said he found the pedimented temple front to be quirky enough to be interesting, but acknowledged that it may not conform to the historic district guidelines. He stated that the flanking piers and full-width sign band helped simulate the original storefront and hold the street; he said the opacity was about right. Mr. Chatterjee agreed that the intensity of the ironwork made the fence act as a façade.

Mr. Senhauser indicated that although the proposed patio may be used for dining only a few months a year, the space should be designed as a garden and not simply abandoned off-season. Mr. Chatterjee agreed that the space needed to be treated as an interior court such as that at Mecklenburg Gardens.

Project architect Mike Uhlenhake was present to address the Board. He acknowledged the Board's comments and indicated the willingness of the owner to work through these design issues. Mr. Senhauser said that the justification for the zoning variance would be the greater challenge; the owner must offer a compelling reason for the variance that is not of his making. Ms. Fisher said she was concerned about the removal of the front portion of the building and would be looking for an equally compelling justification for the demolition.

BOARD ACTION

No official Board action was required at this time.

ADJOURN

As there were no other items to be considered by the Board, the meeting was adjourned (motion by, second by Fisher).

William L. Forwood
Urban Conservator

John C. Senhauser, Chairman

Date: _____